City of Lafayette
Public Meeting Action Agenda
Lafayette City Council Special Meeting

Monday, August 10, 2009 **6:30 PM**
Lafayette Community Park
480 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
   Mayor Tatzin, Vice Mayor Andersson, Councilmembers Anderson, Anduri & Federighi

   Steven Falk, City Manager; Jennifer Russell, Parks, Trails & Recreation Director

3) ADOPTION OF AGENDA
4) PUBLIC COMMENTS
5) PRESENTATION

   Lafayette Community Park
   Children's Play Area – Ribbon Cutting Ceremony
   Action: ***Dedicated the Children's Play Area***

6) ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Action Agenda
Lafayette City Council
Redevelopment Agency
Creeks Committee

Monday, August 10, 2009 **7:00 PM**
Lafayette Community Center – **Manzanita Room**
500 St. Mary's Road, Lafayette, California

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1) CALL TO ORDER
2) ROLL CALL
Mayor Tatzin, Vice Mayor Andersson, Councilmembers Anderson, Anduri and Federighi

Steven Falk, City Manager; Tracy Robinson, Administrative Services Director; Ann Merideth, Community Development Director; Niroop Srivatsa, Planning & Building Services Manager; Gonzalo Silva, Financial Services Manager; Jennifer Russell, Parks, Trails & Recreation Director; Donna Feehan, Administrative Analyst; Mala Subramanian City Attorney; Joanne Robbins, City Clerk

3) PLEDGE OF ALLEGIANCE
4) ADOPTION OF AGENDA
5) PUBLIC COMMENTS
6) PRESENTATIONS
   A. Mayor Tatzin
      Invitation to State Legislators to Discuss Their Votes and Positions Regarding the State Budget
      Action: Received and filed.

      Convene jointly with Creeks Committee

      Scott Honegger, Chairperson; Committee Members Will Elder and Jeff Gilman
      Absent: Phil Gaffney, Shel Lewis and Alina Maria Moiceanu

   B. Creeks Committee
      2009 Goals and Accomplishments
      Action: Received and filed.

      Adjourn joint meeting

7) OLD BUSINESS
   A. Steven Falk, City Manager
      1. 2009 Goals Update
         Action: Continue to October 26, 2009 for update.

      2. Draft Letter to Property Owners Regarding City's Interest in Purchasing Downtown Property for the Purpose of Public Parking
         Action: Directed staff to send the amended letter to property owners. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)

B. Niroop Srivatsa, Planning & Building Services Manager
Request by David Bowie for Reconsideration of Special Assessment/Recovery of Costs – Administration Citation Issued for Multiple CCCBID and LMC Violations (addition to a commercial building without permits) at 284-286 Lafayette Circle (APN 243-160-012), Herbert R. Monroe Trust, Property Owner.
Action: ***Denied request for reconsideration. Vote: 4-0-1 (Ayes: Andersson, Anderson, Anduri and Federighi; Noes: None; Abstain: Tatzin)***

Convene Redevelopment Agency

8) STAFF REPORTS

A. Ann Merideth, Community Development Director
Agreement with Design, Community & Environment to prepare the Downtown Lafayette Specific Plan Environmental Impact Report
Action: ***Approved agreement with Design, Community & Environment to prepare the Downtown Lafayette Specific Plan Program Environmental Impact Report subject to modifications. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

B. Tracy Robinson, Administrative Services Director
Second Loan Agreement and First Amendment to Loan Agreement between the Lafayette Redevelopment Agency and the Lafayette Library & Learning Center Foundation
Action: ***Approved the form and terms of the loan agreements between the Lafayette Redevelopment Agency and the Lafayette Library & Learning Center Foundation and authorized the Executive Director to execute the agreements once the final loan amount has been determined and make non material changes to the document. Vote 4-0-1 (Ayes: Andersson, Anderson, Anduri and Federighi; Noes: None; Abstain: Tatzin)***

Adjourn Redevelopment Agency

9) PUBLIC HEARING

A. Michael Cass, Assistant Planner
ZT02-09: Interim Urgency Ordinance 588 Extending the Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries for Ten (10) Months and Fifteen (15) Days
Action: ***Adopted Interim Urgency ordinance 588, extending the temporary moratorium on the establishment and operation of medical marijuana dispensaries for ten (10) months and fifteen (15) days, and approve and issue this report describing the measures taken to alleviate the conditions which led to the adoption of Interim Urgency Ordinance 587 pursuant to Government Code section 65858. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

B. Christine Sinnette, Senior Planner
Consideration of proposed amendments to the Lafayette Municipal Code consisting of (1) Ordinance 586 amending Chapter 6-23, Outdoor Storage and Repairs, (2) Ordinance 589 amending Chapter 1-3, Penalty Provisions, (3) Ordinance 590 amending Chapter 1-9, Administrative Citations, and (4) Ordinance 591 amending Chapter 8-21, Code Enforcement
Action: ***Continued without discussion to the September 14, 2009 meeting.***

10) CONSENT CALENDAR

A. City Council Minutes

July 27, 2009
Action: ***Approved as amended. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

B. Results of Deer Hill Road and St. Mary's Road Pavement Rehabilitation Project Bid
Action: ***Adopted the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

C. Grant of Trail Easement between Weylin G. Eng and Roselyn M Eng and the City of Lafayette relocating a segment of the Burton Ridge Trail
Action: ***Authorized the City Manager to sign the Quitclaim Deed regarding a section of the original trail easement alignment and accept a relocated trail easement alignment. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

D. Resolution 2009-46 Approving an authorization to apply for the City's remaining $113,000 in Measure AA local grant funds under the EBRPD Regional Open Space, Wildlife, Shoreline, and Parks Bond Ordinance
Action: ***Adopt Resolution 2009-46. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

E. 701 Glenside Circle – Request for a six-foot wood fence and a wood fence on a masonary retaining wall that encroaches into the public right-of-way
Action: ***Approved the encroachment into the City right-of-way along the property of 701 Glenside Circle and authorized the City Manager to execute an encroachment agreement with the applicant and directed the City Clerk to record. Vote 4-1 (Ayes: Andersson, Anderson, Anduri and Federighi; Noes: Tatzin)***

F. Disposal of Surplus City Equipment
Action: ***Declared that the equipment is surplus property. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

G. Award of Contract for Culvert Repairs: PWS 09-03 and 09-04
Action: ***Awarded contract for PWS 09-03 and PWS 09-04 to William G. McCullough Company in the amount of $39,996.00. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

H. Increase Budget for Fund 32 Parking Program for FY08/09 by $26,500 to Account for Parking Fee Increases in the Happy Valley Road Parking Lot aka ATT Parking Lot
Action: ***Increased the budget for Fund 32 Parking Fund by $26,500 and authorized the City Manager to sing the lease termination. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

I. 2009 Planning Division Work Plan: Schedule for Completing Long Range Tasks
Action: ***Received and filed. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

J. Resolution 2009-47 Endorsing and Encouraging Residential Seismic Strengthening Plan for Wood Frame Houses
Action: ***Adopted Resolution 2009-47. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

K. Designation of City Manager to Award Stanley Boulevard Traffic Calming and Sidewalk Project
Action: ***Delegated authority to the City Manager to award the Stanley Boulevard Traffic Calming and Sidewalk Project with the understanding that the lowest responsible bid would allow the work to be completed within the existing project budget. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

11) COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

B. Councilmembers Federighi and Anderson
First Amendment to Third Amended Joint Exercise of Powers Agreement with the Central Contra Costa Solid Waste Authority
Action: ***Approved the First Amendment to Third Amended Joint Exercise of Powers Agreement with the Central Contra Costa Solid Waste Authority. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

12) WRITTEN COMMUNICATIONS

A. Letter dated July 21, 2009 from Frederick L. Granados, National Committeeman for the National Association of Insurance requesting a proclamation recognizing September as Life Insurance Awareness Month.
Action: ***Received and filed. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

B. Request from the City of Walnut Creek to co-host a Veteran's Day ceremony on Wednesday, November 11, 2009 at the Lafayette Veterans Memorial Building.
Action: ***Approved a joint Veteran's Day ceremony on Wednesday, November 11, 2009 at the Lafayette Veterans Memorial Building. Vote: 5-0 (Ayes: Tatzin, Andersson, Anderson, Anduri and Federighi; Noes: None)***

13) CLOSED SESSION

A. Property: Olympic Blvd. Property - APN 185-190-006-6
Agency Negotiators: Steven Falk, City Manager and Jennifer Russell, Parks Trail and Recreation Director
Negotiating Parties: David Kramer, Associate Real Property Agent for Contra Costa County
Under Negotiation: Price and Terms of Payment
Action: ***Direction given to staff.***

B. Property: 66 Acre Parcel - APN 238-080-036
Agency Negotiators: Steven Falk, City Manager and Niroop Srivatsa, Planning and Building Manager
Negotiating Parties: Sohrab Nazari, Owner
Under Negotiation: Price and Terms of Payment
Action: ***Direction given to staff.***

C. Conference with Legal Counsel - Anticipated Litigation
Government Code section 54956.9 (1 case)
Action: ***No action taken.***

D. Conference with Legal Counsel - Existing Litigation

Government Code section 54956.9(a)

Lamorinda Properties, LLC v. City of Lafayette
Contra Costa Superior Court Case Number MSN09-0663
Action: ***No action taken.***

Richard F. Holmes v. City of Lafayette
California Court of Appeal Case Number A122849
Action: ***No action taken.***

14) ADJOURNMENT 11:35pm

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